

| <b>RETURN OF SERVICE</b>  |  |                          |              |
|---|--|--------------------------|--------------|
| Service of the Summons and Complaint was made by me   |  | DATE <u>June 6, 2008</u> |              |
| NAME OF SERVER <u>Jay Cleveland</u>   |  | TITLE <u>TRANSMITTER</u> |              |
| Check one box below to indicate appropriate method of service   |  |                          |              |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>8180 East Kaiser Blvd Anaheim, CA 92808</u>  |  |                          |              |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:   |  |                          |              |
| Name of person with whom the summons and complaint were left: <u>Pati Chelise</u>   |  |                          |              |
| <input type="checkbox"/> Return unexecuted:   |  |                          |              |
| <input type="checkbox"/> Other (specify):   |  |                          |              |
| <div style="border: 2px solid black; padding: 10px; display: inline-block;"> <b>FILED</b><br/>           JUN - 9 2008<br/>           CLERK, U.S. DISTRICT COURT<br/>           SOUTHERN DISTRICT OF CALIFORNIA<br/>           BY _____ DEPUTY         </div>  |  |                          |              |
| STATEMENT OF SERVICE FEES   |  |                          |              |
| TRAVEL  |  | SERVICES                 | TOTAL \$0.00 |
| <p style="text-align: center;"><b>DECLARATION OF SERVER</b></p> <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.</p> <p>Executed on: <u>June 6, 2008</u> Date</p> <p style="text-align: right;">Signature of Server <u>Jay Cleveland</u></p> <p style="text-align: right;">Address of Server <u>909 Broadview Knoll Ct N.C. 91950</u></p>  |  |                          |              |
| <p style="text-align: center;"><b>NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE</b></p> <p>IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</p> <p>YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.</p> <p>JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.</p> |  |                          |              |

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Summons in a Civil Action (Rev 11/97)

# United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

Rosario R. Tina, &  
Jesus G. Tina, Pro se

vs

DOWNEY SAVINGS AND LOAN  
ASSOCIATION, F.A.  
and DSL SERVICE COMPANY

SUMMONS IN A CIVIL ACTION  
Case No. 08 CV 1004 BTM POR

TO: (Name and Address of Defendant)

DSL / FCI / NATIONAL LENDER SERVICES  
8180 E. KAISER BLVD  
ANAHEIM HILLS, CA 92808

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and  
serve upon PLAINTIFF'S ATTORNEY

Rosario R. Tina, Plaintiff  
865 Euclid Avenue  
San Diego, CA 92114  
Phone 619-813-7844

An answer to the complaint which is herewith served upon you, within 20 days after  
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment  
by default will be taken against you for the relief demanded in the complaint.

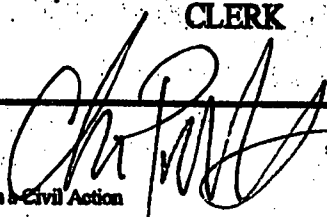
W. Samuel Hamrick, Jr.

CLERK

JUN 05 2008

DATE

By



, Deputy Clerk

Summons in a Civil Action

Page 1 of 2

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PS Form 3800, August 2006 See Reverse for Instructions

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| Total Postage & Fees                              | \$ |

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 City, State, ZIP+4<sup>®</sup> Newport Beach CA 92658

PS Form 3800, August 2006 See Reverse for Instructions